

January 18, 2007

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
January 18, 2007

I. OPENING OF MEETING AT 9:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 21, 2006

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD DECEMBER 21, 2006?

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	132.....	9
Agriculture	479.....	17
Arts Council.....	22.....	2
Capitol Development Board	31.....	0
Central Management Services	1,595.....	111
Children and Family Services.....	3,359.....	41
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	427.....	61
Commerce Commission.....	54.....	0
Corrections.....	12,419.....	101
Criminal Justice Authority	63.....	6
Deaf and Hard of Hearing Comm.	6.....	1
Developmental Disabilities Council	9.....	1
Emergency Management Agency	107.....	1
Employment Security.....	1,757.....	26
Environmental Protection Agency	1,084.....	18
Financial & Professional Regulation	793.....	42
Guardianship and Advocacy	113.....	7
Healthcare and Family Services.....	2,354.....	29
Historic Preservation Agency	252.....	11
Human Rights Commission	12.....	2
Human Rights Department	131.....	8
Human Services	14,730.....	64
Investment Board.....	5.....	2
Juvenile Justice	1,309.....	18
Labor.....	74.....	7
Labor Relations Board Educational	14.....	2
Labor Relations Board Local.....	1.....	0
Labor Relations Board State	20.....	2
Law Enforcement Training & Standards Bd.....	22.....	1
Medical District Commission	2.....	0
Military Affairs	143.....	3
Natural Resources	1,486.....	27
Pollution Control Board.....	26.....	3
Prisoner Review Board	22.....	0
Property Tax Appeal Board	23.....	2
Public Health.....	1,111.....	35
Revenue	2,027.....	61
State Fire Marshal	157.....	9
State Police	1,488.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems	82.....	1
Transportation.....	3,120.....	1
Veterans' Affairs.....	1,166.....	5
Workers' Compensation Commission	174.....	10
TOTALS	52,410.....	754

B. Governing Rule - Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
 - 1. The Governor, or
 - 2. A departmental director or assistant director appointed by the Governor, or
 - 3. A board or commission appointed by the Governor, or
 - 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 - 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 - 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
 - 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.

- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
 - 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
 - 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board or commission.
 - 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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(No item C1 as that exemption request was granted by the Commission on December 21, 2006.)

C2. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption (continued from December 21, 2006)

Position Number	40070-42-00-040-20-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Office
Functional Title	Deputy General Counsel/Springfield
Incumbent	None
Supervisor	Chief Legal Counsel (reports to Agency Director)
Location	Sangamon County

C3. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption (continued from December 21, 2006)

Position Number	40070-42-00-040-30-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Office
Functional Title	Deputy General Counsel/Chicago
Incumbent	None
Supervisor	Chief Legal Counsel (reports to Agency Director)
Location	Cook County

CMS Recommendation: “The positions meet the reporting criteria of the Commission Rules and considering the similarities of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

D1. Illinois Department of Revenue – Proposed Exemption (continued from December 21, 2006)

Position Number	40070-25-12-210-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Human Resources Strategic Manager
Incumbent	None
Supervisor	Human Resources Director (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County

D2. Illinois Department of Revenue – Proposed Exemption (continued from December 21, 2006)

Position Number	40070-25-12-220-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Human Resources Functional Manager
Incumbent	None
Supervisor	Human Resources Director (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County

D3. Illinois Department of Revenue – Proposed Exemption (continued from December 21, 2006)

Position Number	40070-25-12-310-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Fiscal Strategic Manager
Incumbent	None
Supervisor	Chief Fiscal Officer (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County

D4. Illinois Department of Revenue – Proposed Exemption (continued from December 21, 2006)

Position Number	40070-25-12-320-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Fiscal Functional Manager
Incumbent	None
Supervisor	Chief Fiscal Officer (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County

CMS Recommendation: “The positions report to their respective program director who in turn report to the Director of the Administrative and Regulatory Shared Services Center. Considering the similarities of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

E. Illinois Department of Revenue – Proposed Exemption (continued from December 21, 2006)

Position Number	40070-25-73-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Fiscal Division, Liquor Control Commission
Functional Title	Manager, Fiscal Division for Liquor Control Comm.
Incumbent	Mark T. Lewis
Supervisor	Executive Director, Liquor Control Commission (reports to Director)
Location	Cook County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering similarities of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption

Position Number	37015-13-40-940-00-01
Position Title	Public Service Administrator
Bureau/Division	Statewide Enforcement
Functional Title	Chief of Real Estate Investigations Program
Incumbent	None
Supervisor	Director of Statewide Enforcement (reports to Secretary)
Location	Cook County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G1. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-76-000-10-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Mental Health
Functional Title	System Transformation Administrator
Incumbent	None
Supervisor	Director, Office of Mental Health (reports to Secretary)
Location	Cook County

G2. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-76-000-30-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Mental Health
Functional Title	Administrative Services Organization Manager
Incumbent	None
Supervisor	Director, Office of Mental Health (reports to Secretary)
Location	Sangamon County

G3. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-76-000-40-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Mental Health
Functional Title	Quality Manager
Incumbent	None
Supervisor	Director, Office of Mental Health (reports to Secretary)
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

H. Illinois Department of Revenue – Proposed Exemption

Position Number	37015-25-90-210-10-01
Position Title	Public Service Administrator
Bureau/Division	Lottery Superintendent’s Office
Functional Title	Communications Manager
Incumbent	None
Supervisor	Lottery Superintendent (reports to Director)
Location	Cook

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUESTS FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- **Item C2: Deputy General Counsel, Sangamon County**
Item C3: Deputy General Counsel, Cook County

- **Item D1: Human Resources Strategic Manager**
Item D2: Human Resources Functional Manager
Item D3: Fiscal Strategic Manager
Item D4: Fiscal Functional Manager

- **Item E: Manager, Fiscal Division for Liquor Control Commission**

- **Item F: Chief of Real Estate Investigations Program**

- **Item G1: System Transformation Administrator**
Item G2: Administrative Services Organization Manager
Item G3: Quality Manager

- **Item H: Communications Manager, Lottery**

V. CLASS SPECIFICATIONS

The Director of Central Management Services submitted the following class title for revision:

A. Position Title

Elevator Inspector

Classification Analysis

“The Elevator Inspector class specification currently includes a requirement that an individual must be certified by the National Association of Elevator Safety Authorities (NAESA) as a Qualified Elevator Inspector (QEI). The American Society of Mechanical Engineers (ASME) sets the standards for certification of Qualified Elevator Inspectors and accredits other companies to administer the testing and certification of individuals. The NAESA is accredited by the ASME, but is not the only organization accredited to perform the testing and issue certificates. The proposed revision involves broadening the requirement to include any organization that issues QEI certifications according to the ASME QEI-1 Standard of the American Society of Mechanical Engineers.

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The reference to certification as a Qualified Elevator Inspector by the NAESA will be replaced by the phrase “certification as a Qualified Elevator Inspector (ASME QEI-1) from an organization accredited by the American Society of Mechanical Engineers.”

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLE TO BE EFFECTIVE FEBRUARY 1, 2007?

- **Item A: Elevator Inspector**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4) AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION AND/OR SPECIFIED EMPLOYMENT MATTERS?

VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code, however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	11/30/06	12/31/06	12/31/05
Aging	0	0	1
Agriculture	2	2	3
Arts Council	1	1	1
Central Management Services	2	2	4
Children and Family Services	6	7	4
Commerce and Economic Opportunity	0	0	1
Emergency Management Agency	0	0	1
Environmental Protection Agency	0	0	1
Healthcare and Family Services	7	9	11
Human Services	3	3	3
Natural Resources	17	21	23
State Fire Marshal	1	0	0
State Retirement Systems	1	1	0
Transportation	7	45	37
Veterans' Affairs	0	3	2
Totals	47	94	92

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

- DISCHARGE APPEAL

DA-5-07

Employee	Michael Hogan	Appeal Date	8/29/06
Agency	DOC	Decision Date	1/05/07
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Tested positive for THC (marijuana) in random drug test	Recommended Decision	Charges not proven.

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DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?

X. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

• WITHDRAWN

D-17-07

Employee	Andrea Cobb	Appeal Date	12/13/06
Agency	DHS	Decision Date	12/26/06
Type	Demotion	ALJ	Andrew Barris
Charge(s)	Demoted unfairly	Recommended Decision	Withdrawn; dismissed subject to Commission approval

DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTER?

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Thursday, February 15, 2007 at 9:00 a.m. in the Commission's Chicago office.

XIII. MOTION TO ADJOURN